

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
DIVISION OF JUDGES  
BRANCH OFFICE  
SAN FRANCISCO, CALIFORNIA**

**THEATRICAL WARDROBE UNION , LOCAL 784,  
INTERNATIONAL ALLIANCE OF THEATRICAL  
STAGE EMPLOYEES AND MOVING PICTURE  
MACHINE OPERATORS OF THE UNITED STATES  
AND CANADA**

and

Case 20–CB–11109-1

**ODESSA MCDUFFIE, an Individual**

*Shelly Brenner*, San Francisco, Calif., for the General  
Counsel.

*Alan G. Crowley*, of *Weinberg, Roger & Rosenfeld*, Oakland,  
Calif., for Respondent

**BENCH DECISION  
and  
CERTIFICATION**

**JAMES M. KENNEDY, Administrative Law Judge:** This compliance hearing was tried in San Francisco, California on September 16, 2003. The underlying Board order was issued on March 13, 2003 upon the adoption of Administrative Law Judge Burton Litvack's decision of January 27, 2003. A dispute having arisen concerning the amount of backpay due Charging Party Odessa McDuffie, the Regional Director for Region 20 issued a compliance specification on June 19, 2003. Respondent's revised answer of September 4, 2003 offered an alternative theory regarding the manner in which backpay should be computed.

Upon hearing the evidence, I determined it was appropriate to issue a bench decision under Board rule §102.35(a)(10). Pursuant to Board rule §102.45(a), I hereby attach pages 52-57 of the transcript to this decision as the Appendix and certify that it is an accurate transcription of my decision as delivered orally on September 16, 2003. <sup>1</sup>

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James M. Kennedy  
Administrative Law Judge

Dated: September 26, 2003

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<sup>1</sup> If no exceptions are filed as provided by §102.46 of the Board's Rules and Regulations, the findings, conclusions, and recommended Order shall, as provided in §102.48 of the Rules, be adopted by the Board and all objections to them shall be deemed waived for all purposes.